

What can I do if I don't agree with a Legal Aid NSW decision?

If you don't agree with a decision that Legal Aid NSW has made, you may be able to ask for our decision to be looked at again. This is called an appeal. You have 21 days from the date you get this letter to appeal.

When a request to appeal a decision is received, an internal review of the original decision will be completed. If Legal Aid NSW say their original decision was correct, the appeal will be referred to the Legal Aid Review Panel for external review.

The Legal Aid Review Panel will decide your appeal. The Panel is separate from Legal Aid NSW and their decision is final. If you are thinking about appealing, it may help to talk to your lawyer.

Can I appeal every decision?

Not every decision made by Legal Aid NSW has a right of appeal. You can appeal our decision to refuse, change or terminate your grant of legal aid, or our decision that you must pay a contribution to the cost of your case.

Decisions where there is no right of appeal include:

- The amount of your contribution to your Local Court criminal matter.
- Our decision to refuse you legal aid for your Local Court criminal matter because you did not satisfy the means test (your income and assets)
- The lawyer we give you.
- What we will pay your lawyer to do for you.

How do I appeal?

Your appeal must be in writing. You can:

- ask your lawyer to appeal online for you,
- use the Appeal Form on the back of this page, or
- send us a separate letter or email.

You must set out the reasons why you want our decision to be changed.

What information do I include?

You should include any additional information you want the Panel to know when considering your appeal. If you have documents that show why you think our decision is wrong, you should submit them with your appeal form.

For example, if you were refused legal aid for failing to verify your means, attach the following documents to your appeal form:

- bank statements from all of your financial accounts for the past 3 months
- your most recent Centrelink Income Statement
- your 3 most recent pay slips
- details of your weekly living expenses, and
- details of any assets you own.

How long do I have to appeal?

You have **21 days** from the date you get our decision to appeal.

How long will my appeal take?

It could take about 6 to 10 weeks to decide your appeal.

What happens to my case while my appeal is being decided?

If you have to go to court in this time, you or your lawyer can ask the court or tribunal to adjourn your case while you appeal. This means asking for your case to be put on hold until the Legal Aid Review Panel has made a decision about your appeal. You will need to let us know when your next court date is.

You or your lawyer should ask the court or tribunal to adjourn the case under section 57 of the *Legal Aid Commission Act 1979*.

Any questions?

If you have any questions about appealing talk to your lawyer. If you don't have a lawyer call our Grants Administration on (02) 9219 5880.

www.legalaid.nsw.gov.au

Appeal Form

Return form and attachments to:
Legal Aid NSW Grants
PO Box K847
HAYMARKET NSW 1240
Grants.records@legalaid.nsw.gov.au

File ID: «file_number» **Extension:** «extension_no»

Your name: «Client_No_Title_Name»

Where do you want us to send correspondence to?

<input type="checkbox"/> Postal address	
	Postcode:
<input type="checkbox"/> Email address	
Phone	

When is your next court date?

What decision do you want to appeal?

- We **refused** your application for legal aid
- We **terminated** your grant of legal aid
- Other decision

*Decisions where there is **no right of appeal** include:*

- *If you were refused legal aid for a Local Court criminal matter because you did not satisfy the means test*
- *the amount of contribution you must pay in a Local Court criminal matter*
- *the lawyer we give you*
- *what we will pay your lawyer to do*

Please provide details.....
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*Is there **additional information** we should know when considering your appeal? Please attach relevant documents*

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*If you are appealing **more than 21 days** after you received the decision, please explain why*
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